



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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## SECOND DECLARATION OF J. THOMAS MORELLI UNDER RULE 131(b)

J. Thomas Morelli declares:

1. I am over the age of 18, and competent to testify in this matter. I am not a co-inventor of the above invention, but I am a witness to its earliest conception and creation. I made the acquaintance of Damion Hankejh in 1993 through mutual social acquaintances, and subsequently consulted and collaborated with him with him professionally as a marketing communications and business development professional. I reside in San Francisco.

2. Prior to March 1996, when Damion showed me a new way to do it, when I wanted to share or pass Internet website links to other sites with friends while we were engaged in a chat session with each other, we had to write them out in the chat text. And then my logged on friends would copy the text link from their chat page and paste it into the address bar of another browser application running simultaneously on their computer to get that browser to navigate to that link address.

3. In particular, Damion showed me, at least as early as March 1996, a new way to share and/or pass Web-based content across the Internet in real time while engaged in an Internet chat session. Prior to that time, and other than the way described above, to accomplish this it was necessary to input long and complicated computer commands in the appropriate programming language. Then in order to view the content, the other participant in the chat session had to then

manually transfer the coded data they had received to another completely separate browser application. Depending on the data transfer protocol and network setup, there were often several more steps to take before the information could be used.

4. By at least as early as March 1996, while Damion was living in Redmond, Washington, Damion explained to me his vision for a browser leading function within a chat function that could be enabled by Java coding, and how a chat function could be combined with a browser leading function, so that a chat participant, by entering a web address on a special address bar or the like inside the chat environment and activating it, could lead all other chat participants' simultaneously running browsers to any location on the Web, or any other networked communication environment.

5. I recall these March 1996 conversations particularly because Damion asked at that time that I write and deliver a marketing plan outline for the new technology on a short deadline, and I was able to do so despite the fact that I was on a temporary business assignment in Los Angeles at the time.

6. I also recall that, at least as early as March 1996, Damion was writing his own code to create some of his earliest test embodiments of the combination of a chat function with a browser leading function as discussed in paragraph 4 above, and was showing them to me and getting my feed back on these successful tests. In each test, Damion would demonstrate to me a chat environment that he had set up, and in which a Web address entered in his coded browser leading function in the chat environment would cause another chat linked browser to move to that Web address. He and I would brainstorm on possibilities and applications for the Java code he was writing to interact with both the chat environment and the browser environment to effect the browser leading function in the chat environment, and I assisted him with ongoing testing, at least through June 1996 when he started working with his friend Hoa Ton-That.

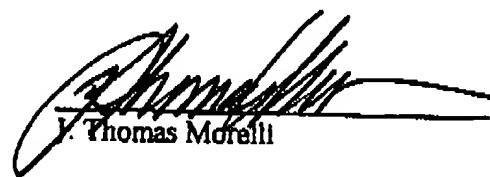
7. We also discussed, at least as early as March 1996, how the new browser leading chat session could serve as both a collaboration and educational tool and in a broader sense as a customer service and support tool for the then burgeoning e-commerce market. Damion showed me how he visualized that a chat session could be started, and virtually any number of people

could log into that chat session via an http connection through the internet, and then a designated chat leader could lead the browsers of the other chat members to anywhere on the web, including URL's within a website hosted by the chat leader himself and containing all the educational or collaboration materials that he wanted to share with his colleagues.

8. I also understood from these discussion with Damion, at least as early as March 1996, that this was also how a customer service rep, while leading a chat session with an online customer, could lead the customer to web pages that would either show the customer what she had been looking for, or show her other information that would help her in her online shopping. Also part of what he explained was that a user could click on a unique hyperlink button on a Web site put there for the purpose of connecting the user via the hyperlink with a real-time chat dialogue with the live sales or service person. The service person could then answer questions in the chat and in the same session lead the user to any desired location on the Web.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the accompanying application or any patent issued thereon.

DATED 11-24-2003



J. Thomas Morell